

## THE B. F. GOODRICH COMPANY WON IMPORTANT LEGAL FIGHT

"It is because we believe in an absolutely square deal for the automobile supply houses," says an official of the B. F. Goodrich Company in explanation of the victory recently won in the United States District Court in Cleveland over the Automobile Co-operative Association of America.

"There are 75,000 of these houses throughout the country. If we sold the various consumers' leagues at our jobbing price, and if other tire companies did the same, it would result in putting out of business a tremendous number of prosperous merchants who have invested heavily in the automobile supply business. This would in the end, be a misfortune, not only to the individual dealer, but would hurt every man who owns or operates a car."

"If you own a car yourself or if any of your friends own a car and you take your wives and children out for an all-day outing, one of the contributing factors of your pleasure is the knowledge that almost anywhere along the road, if you run out of gas, or if you have a blowout, or if you need various little supplies or assistance of any kind, you can drop into a country garage or a little supply house and get fixed up so that you will be able to go on your way rejoicing."

"These dealers throughout the country, who make touring a pleasure are not making enough profit out of the sale of any one article to make a living. They make their profits by selling a little of this and a little of that. If you take away from them the dealer's earnings on tires and accessories the chances are that 95 percent of them would be forced out of business, and yet the man who joins a consumers' league doesn't stop to consider that in so doing he is really knocking the man who really makes long automobile trips a pleasure and a possibility for him."

"The significance of our victory was saving for dealers the ultimate benefit of the consumer even despite the desire of a very large body of these same consumers."

"In connection with this victory, the following letter sent out by the B. F. Goodrich Company to their dealers is interesting:"

### SUIT OF IMPORTANCE TO DEALERS

On March 31, 1916, there ended in the United States Supreme Court, in Cleveland, Ohio, a trial which has lasted for three weeks, and is of vital importance to the dealers all over the country.

The suit was brought by the consumers' league known as the Automobile Co-operative Association of America, which was organized in New York in 1908 and went out of business in 1911. The suit was filed against the B. F. Goodrich Company, The Diamond Rubber Company, The Firestone Tire & Rubber Company, The Republic Rubber Company, and The U. S. Tire Company.

The consumers' league, the plaintiff—complained that these companies refused to sell them tires at the regular prices for dealers; that such refusal was the result of a combined action or conspiracy on the part of these companies, and that the result of such conspiracy had been to cause this consumers' league to fail in business. The suit was brought for \$450,000.00 under the Sherman Anti-Trust law.

At the conclusion of the plaintiff's opening proofs, The Firestone Rubber Company and the U. S. Tire Company were dropped out of the case, by direction of the Court.

The fight was continued by the Goodrich, Diamond and Republic companies.

It appeared from the evidence thereafter taken—consisting of the testimony of a number of prominent dealers and of officers and branch managers of the tire companies—that the Goodrich company had always and consistently refused to sell to clubs, consumers' leagues and kindred organizations at dealer's prices, recognizing that to do so would be unfair to, and would undermine the business of the legitimate dealers.

Though the Court at the conclusion of the evidence, decided—and subsequently charged the jury—that no damages were proven or could be recovered even if the defendants were guilty under the Sherman Law, the defendants were unwilling to stop, but desired to have the propriety of their acts passed upon. The matter was one of principle to us.

So the case was argued before the jury which has now brought in a verdict completely in favor of the defendants.

The Court in its charge to the jury, pointed out that the reason stated by the defendants for not selling to the plaintiff at retail dealers' prices was that

"They were forced to decide between two alternatives—to deal with the cooperative leagues, such as the

plaintiff was assumed to be, and lose the business of the regular dealers, or to say, 'we will not deal with the co-operative leagues and will keep the favor and support of the regular dealers'."

Further the Court said, "If the plaintiff was not entitled to the consideration accorded to, and received by regular retail dealers in the ordinary course of trade, then to refuse to deal with them was no restraint of trade."

Again the Court said that the jury would have to ask itself this question, namely:

"Was there any necessity for Mr. Raymond, representing the Goodrich Company, with its standing in the trade, to appeal to other tire makers to join with it in such an agreement against this corporation? Was there any benefit to accrue to the Goodrich Company to do this sort of thing?"

And the jury decided in favor of the defendants.

The Goodrich Company will continue with its uniform and long established policy, which has been and is and will be, to protect its dealers, and to refuse to sell at dealers' prices to consumers under whatever form of association they may be banded together.

### To the Public

I wish to thank all those whose support has contributed to my business success. It has been a pleasure to deal with the people of Deming and I take this opportunity of expressing my appreciation of their patronage.

I am closing my books and will appreciate it, if all those indebted to me will make prompt payment as all accounts must be in by the first of the month.

SAM WATKINS

The number of visitors to the camp at Columbus last Sunday was by far the largest that has ever attended. Fully fifty cars from this place made the trip.

Don't forget to send the Deming boys a little remembrance once in a while. They appreciate it.

DEMING, FRIDAY, 2 JUNE

## BRING THE CHILDREN

Special Attention is given to the comfort of Ladies and Children. Polite and attentive ushers are always with

COOPER BROS. SHOWS

Parents can Send the Little Ones with a feeling of perfect safety.



## MAN and MONKEY

That man and monkey are closely allied finds many new supporters among visitors to COOPER BROS. SHOWS

## BUILDING HOMES

is more of an art than just building houses. Look over Deming and see how many cozy, comfortable dwellings have been designed and built by MORAN.



E. F. Moran & Co.

## Send Us Your FLAT WORK

Our flat work service has proven itself very convenient to many housewives. You would appreciate it too, if you would give it a trial.

Simply send us your flat pieces, the towels, sheets, pillow cases, table clothes, napkins, bed spreads, etc. We will wash and iron and return them all ready for use.

The work is better than would be done at home or by a wash-woman, the service is exceedingly prompt, and the charge but a few cents a piece.

You can send these in a separate package with your other laundry.

## Deming Steam Laundry

PHONE 87

## Stars in METRO PICTURES



### NOTICE

Notice is hereby given that on the 5th day of May, A. D. 1916, Letters Testamentary were issued to the undersigned Gertrude E. Stephens, as executrix of the last will and testament of Dwight B. Stephens, deceased. All persons having claims against said estate are required to present the same duly verified, within one year from the said 5th day of May, A. D. 1916, the time allowed by law for presenting such claims, and if not so presented and filed, the claim will be barred by virtue of the statute in such case made and provided. All persons indebted to said estate are required to settle with the undersigned.

GERTRUDE E. STEPHENS, Executrix of the estate of Dwight B. Stephens, deceased.

R. F. Hamilton, Attorney for Executrix First pub. May 12, 1916. Last pub. June 2, 1916.

### IN THE PROBATE COURT OF THE COUNTY OF LUNA AND STATE OF NEW MEXICO

In the matter of the Estate of John M. Tate, deceased, Admistrators Notice

To Whom It May Concern: The undersigned, administrator of said estate, hereby gives notice that on Monday, the third day of July, A. D. 1916, at ten o'clock in the forenoon of said day, at the County Court House in Deming, Luna County, New Mexico, he will apply to said Court for an order of approval of his final account and report on file in this cause and for his discharge as such administrator.

THOMAS TATE Administrator of the Estate of John M. Tate, deceased.

A. W. Pollard, Attorney for Administrator. 1st pub. May 12, 1916. Last pub. June 2, 1916.

## Professional Directory

R. F. HAMILTON ATTORNEY-AT-LAW Phone 355 Mahoney Bldg.

JANET REID, M.D. PHYSICIAN AND SURGEON Office on Spruce Street Residence at Cottage Sanatorium Office Phone, 16; Residence Phone, 1168B Special attention to diseases of women and children and tuberculosis. Calls answered day or night

A. W. POLLARD ATTORNEY-AT-LAW Mahoney Bldg. Gold & Spruce

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G. MOIR, M. D. PHYSICIAN AND SURGEON Special attention given to eye, ear, nose and throat work and the fitting of glasses. Telephones: Office, 72; Residence, 55

W. C. RAWSON Undertaker and Embalmer

OSTEOPATH E. S. MILFORD, M.D., D.O. Graduate of the American School of Osteopathy of Kirksville, Missouri 204 SOUTH COPPER AVE. TELEPHONE 157

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POULTRY, STEAKS, CHOPS, ROASTS, HAMS, BACON, SAUSAGE AT VERY LOWEST PRICES at which really excellent quality can be obtained.

And you will find this market always clean and sanitary, and its help most courteous and prompt.

TELEPHONE 49

## HENRY MEYER

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JAMES B. WADDILL ATTORNEY and COUNSELOR Baker Block

VAUGHN & WATSON ATTORNEYS and COUNSELORS Baker Block Spruce St.

C. C. FIELDER REAL ESTATE and CONVEYANCING Notary Public Spruce St.

JAMES S. FIELDER ATTORNEY-AT-LAW Fielder Building Pine St.

E. A. MONTENYOHL PHYSICIAN AND SURGEON Telephone 286 Residence and Office, Spruce Street

R. F. HOFFMAN, M.D. PHYSICIAN AND SURGEON Office in Old Telephone Building Phone 226J Silver Avenue

DR. H. W. ARMSTRONG DR. BLANCHE ARMSTRONG Osteopathic Physicians Graduates under the founder of the Science; A. T. Still, Kirksville, Mo. Office, Lester House, Phone: 109 Residence: 207 Birch. Phone: 106

C. R. Hughes P. A. Hughes HUGHES BROTHERS Fire Insurance Abstracts and Conveyancing Phone 239 115 Spruce St.

F. D. VICKERS, M. D. Physician and Surgeon Office: Mahoney Building Office 338 PHONES Home 269 Attention given to Eye, Ear, Nose and Throat. Glasses Fitted

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### D. SWIFT & CO.

PATENT LAWYERS, 303 Seventh St., Washington, D. C.

TIME TABLE			
SANTA FE			
Ar. 9:40 a. m.	Westbound	Daily	
Ar. 10:10 a. m.	Eastbound	Daily	
Ar. 7:05 p. m.	Westbound	Daily	
SOUTHERN PACIFIC			
No. 102 Departs	Eastbound	Daily	6:15 a. m.
No. 10 Departs	Westbound	Daily	7:30 p. m.
No. 2 Departs	Westbound	Daily	9:08 p. m.
No. 101 Departs	Eastbound	Daily	12:47 a. m.
No. 9 Departs	Westbound	Daily	9:20 p. m.
No. 1 Departs	Eastbound	Daily	9:45 a. m.
EL PASO & SOUTHWESTERN			
No. 23 Departs for Tynone			7:30 a. m.
No. 24 Arrives			5:10 p. m.
No. 21 Departs for Hachita			7:10 a. m.
No. 22 Arrives			5:30 p. m.

JAN KEE Dry Goods Groceries Birrang Bldg. N. Silver Ave.